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**REMARKS**

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Applicant wishes to reiterate thanks to the Examiner Najjar for the favorable comments obtained during the telephonic interview on March 10, 2004. Our invention is a data communication system for delivery of the full-digital content of the network source information, not for merely notification about the content that requires further action by a user to retrieve the details of the information. As such, Applicant has amended Claims 1 and 6 for clarity and not to avoid any references so as not to limit the scope or the breadth of the claims. Therefore, reconsideration of the present application in light of the foregoing amendment and these remarks is respectfully solicited.

**I.      Election of Claims 1-6.**

Applicant confirms election with traverse of Claims 1-6 to prosecute. Applicant states Claims 7-20 contain overlapping subject matter with Claims 1-6 so the traverse is proper.

**II.     Rejection of Claim 1 under 35 U.S.C. § 102(e)**

In the Office Action, the Examiner rejected under 35 U.S.C. §102(e) Claim 1 as being anticipated by Payne et al., U.S. patent 6,021,433. Applicant respectfully traverses the rejection. The Office Action states:

> As per Claim 1, Payne teaches a broadcast system, said broadcast system comprising:
>
> a server-end means for scheduling, gathering and transmitting an entire digital database content of at least one type of digital information service, said server-end means having means for encoding said full-digital data content for being broadcasted (see fig. 1; col. 5, Payne discloses that information source servers 12 schedules and gathers data for broadcast); and
>
> a client-end means for decoding and receiving the broadcasted full-digital database content and providing the full informational content of said at least one type of digital information services, wherein said client end means selects which full digital database content to receive, wherein said full digital content is continuously received by a broadcast receiver and is stored in a client local storage unit (see. Fig. 1; col. 6-7)
>
> Payne discloses a client end system having a viewer for decoding the selected content to be viewed), and

wherein said full digital database content includes redundant packets that repair data losses due to transmission errors (see col. 9, ll. 50-65; col. 15, Payne discloses that redundant data packets are transmitted for transmission error correction).

5      As shown in the above passage taken from the Office Action, the Office Action has failed to specifically point out in the prior art the relevant sections that show our invention. For instance, the Office Action analysis is incomplete including comments without specifically referring to any specific passages and referring to multiple columns of information such as "Client ends means ... (see Fig. 1 and Cols. 6-7)" without referring to specific information in

10     these passages or columns.

     The Office Action states the Claim 1 limitation "a server-end means for scheduling, gathering and transmitting an entire digital database content of at least one type of digital information service, said server-end means having means for encoding said full-digital data content for being broadcasted" is shown in Fig. 1; Col. 5. However, Payne never discloses

15     the information source containing an entire digital database. Plus, a word search performed on Payne reveals no hits for the terms "server-end" or "full-digital data content". Thus, for this reason alone, Applicant respectfully requests allowance of Claim 1.

     The Office Action states Claim 1 limitation "a client-end means for selectively decoding" is contained in Payne in Fig. 1, col. 6-7. However, Payne never discloses this

20     selective decoding process. Plus, a word search performed on Payne reveals no hits for the terms "client-end" or "selectively decoding". Thus, for this reason alone, Applicant respectfully requests allowance of Claim 1.

     In addition, the Office Action states the Claim 1 limitation "continuously receiving" is contained in Payne in Fig. 1; Col. 6-7. However, Payne never discloses continuous

25     receiving in connection with entire digital database content. Plus, a word search performed on Payne reveals no hits for the term "entire digital database content". Further, the Office Action states Claim 1 limitation "storing in a client local storage unit said broadcast" is in Fig. 1; Col. 6-7. However, Payne never discloses "storing in a client local storage unit said broadcast." Thus, for either of these reasons alone, Applicant respectfully requests allowance

30     of Claim 1.

Moreover, the Office Action states Claim 1 limitation "independent of operation of a program guide, in response to said client-end election to receive the broadcasted full-digital database content" is contained in Payne in Fig. 1; Col. 6-7. However, Payne never discloses a program guide or client-end election to receive the broadcasted full-digital content. Plus, a word search performed on Payne reveals no hits for the terms "program guide" or "client-end election". Thus, for this reason alone, Applicant respectfully requests allowance of Claim 1. Thus, for all the reasons above, Applicant respectfully requests allowance of Claim 1.

Furthermore, Payne does not teach nor even, suggest nor motivate any of the limitations in Claim 1 such as "a client end means for selectively decoding", "continuously receiving", "storing in a client local storage unit said broadcast including entire digital content", "independent of operation of a program guide, in response to said client-end election to receive broadcasted full-digital database content"... In particular, Payne does not provide instantaneous retrieval of data because a Payne user is required to click a button to receive notification that a message came in (Col. 5, ll. 55-60). In particular, a Payne user receives "[w]irelessly broadcasted Uniform Resource Locator's (URL's) 22, associated with the data, are embedded in multimedia data packets and provide an automated wired or wireless connection or link 22 back to the information source 12 for obtaining detailed data." (Col. 6, ll. 45-49). "A network path to an information source 12 is identified by the URL having a known syntax for defining a network." Thus, in summary, Payne does not teach, nor even motivate or suggest Claim 1 so that a Payne cannot be part of an 35 U.S.C. 103 rejection.

Furthermore, other reasons given above for Claim 1 allowance include **Payne requires two links to a server**, i.e., <u>one link from the server to send notification to a user</u> and <u>a second link from the server to send the data to a user</u>. In contrast **our invention requires one link from the server** to transmit the full-digital data content; i.e., program guide, data, etc ..., to a user **which is independent of program guide operation for signal reception** (Spec., p. 8, l. 14). In particular, our invention having one link from the server is described as "a broadcast" in the server-end and the same link from the server, described as "said broadcast" which is received at the client-end means. Amended independent Claim 1 has been modified for clarity purposes only and not in response to any cited references. Amended independent Claim 1 recites:

1. (currently amended) A broadcast system, said broadcast system comprising:

    a server-end means for scheduling, gathering and transmitting in a broadcast an entire full-digital database content of at least one type of digital information service, said server-end means having means for encoding said full-digital data content for being broadcasted; and

    a client-end means for selectively decoding, continuously receiving, and storing in a client local storage unit said broadcast including said entire full-digital database content and providing the full informational content of said at least one type of digital information services, independent of operation of a program guide, in response to said client-end election to receive the broadcasted full-digital database content.

All of the above limitations of independent Claims 1 of the present invention are disclosed in the Specification (p. 2, ll. 27-30; p. 7, ll. 14-20; p. 12; ll. 10-15; p. 8, l. 14). Therefore Applicant asserts no new matter is introduced by this amendment. Applicant respectfully requests entry of the above amendment to independent Claim 1, withdrawal of the rejection and passage of independent Claim 1 to allowance.

### III.    Rejection of Claim 2 under 35 U.S.C. § 102(e)

In the Office Action, the Examiner rejected under 35 U.S.C. §102(e) Claim 2 as being anticipated by Payne et al., U.S. Patent 6,021,433. Applicant respectfully traverses the rejection. The Office Action states:

> As to Claim 2, Payne teaches a broadcast system as described in Claim 1, wherein: said server end-means further comprises communication means for facilitating transmission of said entire digital database content via IP-Multicast, RS422, RS232, and TCP/IP type communications links for further broadcasting via conduits selected from a group of conduits consisting of television VBI, radio subcarrier, Digital Satellite System (DSS), Digital Video Broadcasting (DVB), MPEG-2, local area networks, paging networks, telephone networks and the Internet (see fig. 2-3; col. 6-9; col. 11).

As shown in the above passage taken from the Office Action, the Office Action has failed to specifically point out in the prior art the relevant sections that show our invention such as the Office Action stating **"see Fig. 2-3; col. 6-9, col. 11" without referring to any particular section.** Thus, for this reason alone, Applicant respectfully requests allowance of Claim 2.

Even if dependent Claim 2 limitation is found in Payne, Claim 2 depending on independent Claim 1 including "the full-digital broadcast" makes this Claim 2 novel over Payne, thereby, the rejection of this claim should be withdrawn and Claim 2 pass to allowance. Thus, Claim 2 is allowable simply because it is dependent on allowable amended Independent Claim 1. Thus, for all the reasons above, Applicant respectfully requests allowance of Claim 2.

## IV. Rejection of Claim 3 under 35 U.S.C. § 102(e)

In the Office Action, the Examiner rejected under 35 U.S.C. §102(e) Claim 3 as being anticipated by Payne et al., U.S. Patent 6,021,433. Applicant respectfully traverses the rejection. The Office Action states:

> As to Claim 3, Payne teaches a broadcast system as described in claim 1, wherein: said means for encoding comprises a packet construction means for breaking up an original digital file into smaller digital file pieces and transmits said smaller digital file pieces as a stream of packets; and
> wherein said client-end means comprises broadcast data receiving means for re-assembling said stream of packets into said original file (see Col. 9-10).

As shown in the above passage taken from the Office Action, the Office Action has failed to specifically reference in the prior art the relevant sections that show our invention, but instead, the Office Action states "**see col. 9-10**". Thus, for this reason alone, Claim 3 should be allowable. Thus, because dependent Claim 3 limitation is novel over Payne, Applicant respectfully requests the rejection to this claim be withdrawn and Claim 3 pass to allowance. Furthermore, Applicant respectfully requests allowance of Claim 3 because it is dependent on allowable amended Independent Claim 1. Thus, for all the reasons above, Applicant respectfully requests allowance of Claim 3.

## V. Rejection of Claim 4 under 35 U.S.C. § 102(e)

In the Office Action, the Examiner rejected under 35 U.S.C. §102(e) Claim 4 as being anticipated by Payne et al., U.S. Patent 6,021,433. Applicant respectfully traverses the rejection. The Office Action states:

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As to Claim 4, Payne teaches a broadcast system as described in claim 1, wherein: said server-end means further comprises means for retrieving and storing an entire digital informational content of a selected electronic network site (see fig. 1-3; col. 6-9).

5      As shown in the above passage taken from the Office Action, the Office Action has failed to specifically point out in the prior art the relevant sections that show our invention, but instead states **"see fig. 1-3; col. 6-9"**. Thus, Applicant respectfully requests allowance of Claim 4 based on this reason alone. Furthermore, Applicant respectfully requests allowance of Claim 4 because it is dependent on allowable amended independent Claim 1. Thus, for all the reasons

10     above, Applicant respectfully requests allowance of Claim 4.

## V.    Rejection of Claim 5 under 35 U.S.C. § 102(e)

In the Office Action, the Examiner rejected under 35 U.S.C. §102(e) Claim 5 as being anticipated by Payne et al., U.S. Patent 6,021,433. Applicant respectfully traverses the

15     rejection. The Office Action states:

5. (original) A broadcast system as described in claim 1, wherein: said server-end means further comprises a means for providing a program guide of services for use by a user, said program guide facilitating means for selecting which services

20     to receive, means for viewing the schedule of incoming services, and means for reviewing a catalog of what services have been received, said program guide means further providing a rotating information banner (see fig. 24, col. 25-28; Col. 30, ll. 35-50, Payne discloses that a program guide is provided to the client for selectively receiving digital content.)

25     As shown in the above passage taken from the Office Action, the Office Action has failed to specifically point out in the prior art the relevant sections that show our invention, but instead states **"see fig. 24, col. 25-28; col. 30, ll. 35-50 ..."** Thus, for this reason alone, Applicant respectfully requests withdrawal of Claim 5 rejection and passage of Claim 5 to allowance. Furthermore, Applicant respectfully requests allowance of Claim 5 because it is dependent on

30     allowable amended Independent Claim 1. Thus, for all the reasons above, Applicant respectfully requests allowance of Claim 5.

## VI.    Rejection of Claim 6 under 35 U.S.C. § 102(e)

In the Office Action, the Examiner rejected under 35 U.S.C. §102(e) Claim 6 as being anticipated by Payne et al., U.S. Patent 6,021,433.   Applicant respectfully traverses the rejection.  The Office Action states:

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> As to Claim 6, Payne teaches a contents-based digital data broadcast system, said system comprising:
> a first server-end application program means for retrieving a first type of digital information, and storing an entire contents of said digital information locally (see fig. 1;

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> Col. 7-8, Payne discloses that mirror servers 256 store the information for transmission to server 134);

As shown in the above passage taken from the Office Action, the Office Action has failed to specifically point out in the prior art the relevant sections that show our invention.

15    In particular, the Office Action states Claim 6 limitation "a first server-end application program means for retrieving a first type of digital information, and storing an entire contents of said digital information locally" is a mirror server 134 contained in fig. 1; col. 7-8. However, Payne never discusses the limitations of "a first-server end application program" or "storing an entire contents of digital information locally" but merely provides for message

20    notification to a user.  Thus, for this reason alone, Applicant respectfully requests allowance of Claim 6.

Further, the Office Action states Claim 6 limitation:

> a first server-end application module means for encoding, transmitting in a
25    broadcast scheduled services including said entire contents of said digital information, said first application module comprising means for supporting IP-Multicast, RS422, RS232, and TCP/IP communications and means for broadcasting said encoded entire contents of said digital information via conduits consisting of television, VBI, radio subcarrier, Digital Satellite System (DSS), Digital Video Broadcasting (DVB), MPEG-2,
30    paging networks, telephone networks, local area networks, and the Internet is contained in fig. 2; col. 8-9.

As shown in the above passage taken from the Office Action, the Office Action has failed to specifically point out in the prior art the relevant sections that show our invention. Furthermore, Payne never addresses a service that includes broadcasting said encoded entire contests of said digital information via conduits" but merely provides for a user receiving message notification. Thus, for this reason alone, Applicant respectfully requests allowance of Claim 6.

Moreover, the Office Action states Claim 6 limitation:

> a second server-end application module means for scheduling tasks for external modules; facilitating centralized organization of tasks and services provided to a client is in Fig. 2; col. 8, lines 25-45.

As shown in the above passage taken from the Office Action, the Office Action has failed to specifically point out in the prior art the relevant sections that show our invention. Further, Payne never discusses a second server-end application module and only describes mirror servers. In addition, even if Payne does has this limitation, Payne does not discuss "full digital database" but the Payne system only provides for a user to be notified of incoming messages. Also a word search of the text in Col. 8 of Payne does not reveal a "second server-end application module" or the like. Thus, for this reason alone, Applicant respectfully requests allowance of Claim 6.

Furthermore, the Office Action states Claim 6 limitation:

> a second server-end application program means for issuing and responding to remote commands and reporting on a status of a task to remote modules" is in Figs. 1, 1. 10, Col. 22-Col. 26. [and]
> a first client-end application program selecting said first type of digital information to transmit" is in col. 21, lines 20-45.

A word search of the text in Payne does not disclose the phrase "a second server-end application program". Thus, for this reason alone, Applicant respectfully requests allowance of Claim 6. However, Payne never discusses "a first client-end application program" or "first

type of digital information" and a word search for these terms in Payne reveals no hits. Thus, for this reason alone, Applicant respectfully requests allowance of Claim 6.

The Office Action states Claim 6 limitation:

a first client-end application program means for decoding and receiving continuously by a broadcast receiver the full content of said broadcasted encoded digital information of said broadcast is contained in Figs. 1-10, col. 8-10; Col. 27-28.

However, Payne merely mentions a user receiving message notification. Thus, for this reason alone, Applicant respectfully requests allowance of Claim 6. Furthermore, Claim 6 limitation "said first client storing locally said first type of digital information on a first client storage device" is not contained in the Payne reference in figs. 1-10; col. 8-10; col. 27-28. However, Payne merely mentions user receiving message notification and storing this notification. For this reason alone, Applicant respectfully requests allowance of Claim 6.

The Office Action also states Claim 6 limitation:

a second client end application program guide means for facilitating selection of which service to receive, viewing a schedule of incoming services, and review of a catalog of what services have been received, said program guide means further providing a rotating information banner is in col. 23, lines 30-35; col. 27-28.
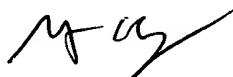
wherein said broadcast receiver continuously receives the full content of said broadcast encoded digital information independent of said second client end application program guide operation is stated in the Office Action in Cols. 23-32.

However, Payne never discusses a second client end application program and merely stand for a user receiving message notification as stated in the above arguments. However, Payne never discloses the messages transmitted to the client independent of the client program guide application, but only in response to client program operation. Thus, for all the reasons above, Applicant respectfully requests allowance of Claim 6.

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## CONCLUSION

Independent Claims 1 and 6 are herein amended, notwithstanding Applicant's belief that the claims would have been allowable as originally filed, for clarity and not based on cited references. Applicant respectfully submits that the presently claimed invention is patentably

5 distinct over the cited references, and Applicant therefore believes that the claims, as amended, now are not anticipated by Payne. Therefore, Applicant believes the present invention as now claimed is patentable. In view of the foregoing amendment and remarks, Applicant requests favorable consideration by the Examiner, entry of the above amendment, withdrawal of the present rejections, allowance of the pending claims, and passage of the present application to

10 issuance are accordingly solicited. The Examiner is cordially invited to telephone the undersigned for any reason which would advance the pending claims toward allowance.

Respectfully submitted,

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